

I wish him and his family all the best in the years ahead.

Mr. RANGEL. Madam Speaker, I yield to the gentleman from New York (Mr. MANTON), our honoree and our friend, who is not leaving New York but leaving the Congress.

Mr. MANTON. Madam Speaker, I thank the gentleman from New York (Mr. RANGEL) very much, a great dean of our New York delegation, and all of my colleagues who are here tonight joining in this tribute.

Some mention was made of my mother and father being Irish immigrants who came from the west of Ireland from small farms. They did not know each other in Ireland. But they came to the great city of New York from the quiet country life of their respected farms, and they met in New York City where they married and raised a family.

The reason I am here is because we live in a republic which recognizes that people can advance themselves. My father was always one who said you must get an education.

□ 1830

My father had a third-grade education. My mother was much more educated. She had eight grades of education. She came to the loud and boisterous and busy city of New York with the cacophony of all these sounds and taxis and trucks and people and I always wondered how they survived those early years.

I was blessed in being able to have a number of jobs before coming to this great body. Some mention was made of my service in the United States Marine Corps, it was 2 years of active duty, some 5 years in the New York City Police Department, 15 years in the New York City Council, and now 14 years in this great body. Where else can you walk through the hallways of this Capitol and know that they were traversed by other people who were Members of the House of Representatives: John F. Kennedy, Lyndon Johnson, Abraham Lincoln, James Madison, and there are others, John Tyler, James Polk, Millard Fillmore, Franklin Pierce and others that I will not mention. So it shows that in the United States of America, people from modest backgrounds under our great system of laws can get an education and prosper in this great nation that we know as the United States of America. Yes, I have had an affinity for the problems in my parents' ancestral land, in Ireland. I was very pleased to serve as the cochair on the committee which we know as the Ad Hoc Committee on Irish Affairs, and the fact that we had the peace agreement of Good Friday makes my service and I think the service of all of those who were involved in that process in bringing President Clinton into it, having him invest a lot of political capital, sending an envoy, Senator Mitchell, to Ireland and generally working with the leadership in Northern Ireland of both traditions to see that we had this

agreement. It makes me happy, and I know the people that have worked in this body happy as well.

I have had the opportunity to, as was mentioned, go to law school and practice, I practiced law for some 20 years before coming to this great body, and I am going to return to that profession. I loved it a lot, I have missed it in the last couple of years and decided that I am going to take another try at it.

My colleagues, I thank you very much for bringing on this special order tonight. It is with a certain amount of bitternessweetness that I am leaving this body but I am not, as you have suggested, leaving politics, too. I am going to continue as long as they will have me as chairman of the great Queens County Democratic organization. It is an organization that stands for the principles of the Democratic Party that we all love and admire. With a certain amount of sadness, I bid you good-bye for a short while. I will be around. Please do not forget me. When you come to Queens, you are always welcome. Some of you may end up in Queens with the reapportionment of 2002, and we will be awaiting your good suggestions on how these lines should be drawn and whatever input we can make into that.

I say good-bye, God bless you, and thanks for everything. It has been a great honor.

GENERAL LEAVE

Mr. RANGEL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order tonight.

The SPEAKER pro tempore (Mrs. MYRICK). Is there objection to the request of the gentleman from New York?

There was no objection.

DEMOCRATIC MANAGED CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized for 15 minutes as the designee of the minority leader.

Mr. PALLONE. Madam Speaker, let me also if I can just take a minute to also express really the friendship that I have had over the last few years with TOM MANTON. He is also on the Commerce Committee with me and the gentleman from New York (Mr. ENGEL) and the gentleman from New York (Mr. TOWNS) as well. I have always admired him for the reasons my colleagues have all set forth but just to mention a couple of things. My father was a policeman. I know what it was like to have a policeman, to serve on the police force, and I know that he is the kind of policeman or the person in the police law enforcement background that is really kind of the perfect image, if you will, of a law enforcement individual.

In addition to that, I have seen him as I think the gentleman from New York (Mr. TOWNS) said really be a consensus builder on the committee. The committee can often be very contentious, not only Republican-Democrat but even within the Democrats. TOM was always the person that was out there trying to bring us together on so many very important issues. I also saw him operate with the Hellenic Caucus. I do not know if that was mentioned tonight, but he worked very hard with the Greek community and he was a leader dealing with those issues as well. I really admired him for a long time. We worked on the Merchant Marine Committee together. He was always a person that was trying to help other Members of Congress, to help his colleagues at all times and do what was best for the country and for his State and for his district. Thanks again, also. I am going to miss you as well.

Madam Speaker, I just wanted to take some time this evening, if I could, to essentially refute, if you will, some of the statements that were made earlier this evening in the special order that my colleagues on the Republican side of the aisle made on the issue of HMO reform. I have taken to the floor many times over the last few months to point out that I believe, and I think the evidence shows, that the Republican leadership of this House was very much determined not to bring a true HMO or managed care reform to the floor and essentially was very much under the influence of the insurance industry which still today does not want to see any real HMO reform. And so I was sort of, not shocked I would say but I was sort of displeased to see that in the waning hours of this Congress that the Republicans who put together the HMO bill that passed this House were actually trying, I think effectively, to defend their actions, because they know that the American public is clamoring for HMO reform.

And so I will say two things tonight: One is the fact that the HMO reform bill was not even taken up in the other body, in the Senate, is a strong indication of the fact that from the beginning, the Republican leadership in both houses of Congress had no intention of really dealing with the issue of HMO reform. In addition to that, the Republican leadership over here bypassed all the committees, never allowed hearings, never allowed a markup of the HMO reform bill and at the 11th hour when it appeared that there was overwhelming support for the Democrats' patients' bill of rights, which was really sort of a bipartisan bill because we had some Republicans, also, that supported us, but when the patients' bill of rights, the real HMO reform bill, was gathering incredible strength and the Republican leadership felt it was necessary to address the issue in some form, they quickly brought up their HMO bill, brought it to the House floor, without hearings, without committee markup, and passed it very narrowly, I think by about five votes, and

sent it over to the Senate where it was never heard from again.

Let me just point out some of the reasons why this Republican bill was not real HMO reform. I really am using as a source some of the criticisms that were made by one of the Republicans that I most admire, the gentleman from Iowa (Mr. GANSKE), a Republican Member who was initially part of the Republican health care task force but became very much opposed to the Republican bill because he felt that the patients' bill of rights, the true HMO reform bill, was far superior and that what the Republicans were bringing to the floor in terms of HMO reform was not real and actually set us back. I just want to give some of the examples, some of the criticisms, if you will, that the gentleman from Iowa (Mr. GANSKE) made.

First, on the issue of medical necessity. The Democratic patients' bill of rights guarantees a review on the merits by outside experts as to whether a service or treatment is medically necessary. Under the Republican bill that was talked about tonight, the outside review is limited to determining whether the plan followed its own definition of medical necessity. The biggest problem that we face today with HMOs is that people are denied care, an operation, length of stay in a hospital, whatever it happens to be, because the insurance company determines that that procedure or extra day in the hospital is not medically necessary. Well, under the Republican bill, the insurance company gets to define what is medically necessary. All the review that my colleagues on the other side were talking about tonight, external, internal review, extends exclusively to the issue of whether or not the plan correctly defined by its own terms what was medically necessary. So basically the insurance company can still say, this is not medically necessary, this procedure, this operation was not medically necessary, and there is no change in the current law.

Emergency room coverage. The Republican bill has only a watered-down version of the prudent layperson rule which means that managed care companies still have ways to get out of paying for their patients' emergency room visits. What we say in the Democratic bill is if the average person would think that the pain that they have necessitates their going to the emergency room, then the insurance company has to cover it. That is not true in the Republican bill. If, for example, you have severe pain and the insurance company decides that severe pain does not qualify for emergency room care in a given circumstance, then the insurance company will not pay for your emergency room bill. Again, there is really no progress, if you will. Everything is pretty much the same. It is like the status quo.

Protecting doctors and nurses from HMO bureaucrats. The GOP bill does not help doctors and nurses to serve as

advocates for their patients because it gives medical professionals no protection from the health care plan when they speak up for their patients. In other words, under the Republican bill, they can be penalized because they speak up for their patients, the health care professionals.

Access to specialists. The Republican bill does not provide for ongoing access to specialists for chronic conditions such as multiple sclerosis and arthritis. Under the GOP bill, patients with chronic conditions cannot get standing referrals to specialists or designate specialists as their primary care providers. This is very important. One of the major points of the Democrats' patients' bill of rights is that you have access to a specialist. Many senior citizens say to me that that is the main reason that they are concerned about their HMOs, because they cannot get referrals to their specialist. Well, there is no guarantee of that under the Republican bill.

Financial incentives to withhold health care. The Democratic patients' bill of rights ensures that health plans not place inappropriate financial incentives on providers to withhold care. On the other hand, the Republican bill is silent on that point. So, in other words, a big problem now under the current system is that the HMO gives a bonus, if you will, to physicians who essentially limit care. Well, that is not changed under the Republican bill. That is still possible under the Republican bill in most circumstances. The Democratic bill basically prevents that and corrects it and says you cannot have those financial incentives to the physicians.

Special legal protections for HMOs. This is most important. Because of a Federal law known as ERISA, patients injured because their HMO delayed or denied treatment have very limited remedies. The patients' bill of rights, the Democratic bill, would permit States to set their own rules for such actions. The Republican bill passed by the House tinkers with but does not really fix this problem.

I just wanted to mention that because my colleagues on the other side spent a lot of time tonight explaining that you would not have the right to sue under the Republican bill but they are going to establish some very exotic and bureaucratic process whereby you would have some kind of review with some sort of penalty to the HMO. It took them almost 15, 20 minutes to describe it. Well, the bottom line is that if I am denied care and I am seriously injured because I cannot get that care, I have no access to that care, I should be able to sue the HMO. I can sue the doctor. Why can I not sue the HMO if they are the ones who are making the decision about denial of care? I know my colleagues on the other side are saying, well, we do not need any more lawsuits. That may be true in general, we do not need as many lawsuits as perhaps we have, but do not tell the

person who has been denied the care and suffered severe damages that they cannot sue and recover for the damages. All the machinations that were made tonight about how we are going to deal with this without having you have the right to sue to me were just essentially a bunch of garbage. It had to be explained in such detail that it almost sounded like another legal case to explain the process as opposed to having the right to sue.

My point is again, there was never any attempt by this Republican leadership to come up with true HMO reform. We knew that from the beginning, when they delayed and delayed and delayed and finally when they brought a bill to the floor, they brought a bill to the floor that actually makes the situation worse for patients in managed care, in HMOs. In addition to that, and I do not know if they mentioned it tonight on the other side, there were a number of poison pills placed in that Republican HMO bill. I say poison pills because they were so controversial and unrelated to the issue of HMOs that they made it impossible for that bill to ever move forward. They knew that this was a bill that was not going to move forward and ultimately it did not move forward in the Senate. Those are things that are not necessarily bad. Some people like them and some do not.

The issue of medical malpractice was placed in the bill to reduce the cap on damages. We have controversy in the House back and forth over whether or not that is a good thing. But it is so controversial that it guarantees, or essentially it is a poison pill to make sure that the bill never sees the light of day.

□ 1845

Now many of us on the Democratic side went over to the Senate last week, and we tried to get HMO reform brought up in the other body, and we were essentially gavelled down. There was a vote, and the Republicans made it impossible to bring this up.

So we know that this issue is dead this year because the Republicans have refused to let it proceed. All their efforts tonight to try to suggest that somehow they really meant it and they were really trying to achieve some kind of HMO reform to me is simply not true because, if there was a real effort to do that, then they would have allowed the process to proceed, and this bill would not have been killed in the other body.

Let me also say that for the those who think that somehow there is not some cynical aspect to all this, and I mentioned before that the insurance companies basically wanted to kill HMO reform, we have a document in here that talks about the Business Round Table that is basically financed by the health insurance industry that is beginning now a \$2 million ad campaign thanking the Republicans in key House districts for their opposition to

HMO reform. Now basically these are the companies that spend millions of dollars successfully lobbying to kill any major health insurance reform a few years ago when the President put forward his plan. Well, now they are spending another \$2 million to make sure that people, that Republicans are returned to Congress who will continue to oppose HMO reform.

There is just some information here about how they are going about it, but this is a coalition and its member organizations from the health benefits coalition, and they are the ones that are essentially out there to make sure that Members are elected who are friendly to the health insurance industry and who will not be supportive of HMO reform.

But I want to say this:

This issue may be dead for this Congress, but it is not dead for the American people. This is the number one issue that Americans care about. It is the number one issue that is brought to my attention by my constituents, and I know that next year, when the new Congress begins, this issue is not going to go away, it is going to be out there as a significant issue once again. The public will be clamoring for reform because the problem is not going away. There is going to be more and more pressure, if you will, built up to do something about HMOs and to have these kind of patient protections.

So let us just rest assured we are going to be here again to deal with this, and even if Members of Congress are elected on some sort of platform because of what they owe to the insurance industry, that, you know, they cannot support this, I guarantee that the public is going to clamor for these patient protections and we are going to be back once again fighting for the patients bill of rights to make sure that it is passed in the next Congress.

CONGRESS FAILS TO ACT ON ISSUES AFFECTING OUR CHILDREN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the Virgin Islands (Ms. CHRISTIAN-GREEN) is recognized for 5 minutes.

Ms. CHRISTIAN-GREEN. Madam Speaker, first I would like to thank my colleague, Mr. PALLONE, for setting the record straight on the patients bill of rights and managed care reform. But, Madam Speaker, my desire to be a Member of the Congress of this United States comes chiefly from wanting to help create a better world for my two daughters and all children. That is why this Congress' failure to act on so many bills and issues affecting our children is so frustrating and distressing to me and mothers across this country.

We talk a great deal about child abuse and neglect as a tragic crime that it is, but is not what the leadership of this House has failed to do on

children's issues also child neglect? It is a sad indictment that the 105th Congress, even in these waning hours, still has not passed the President's education initiative to ensure that our children will have smaller classes and more teachers, safe and sound school buildings, the tools they need to be successful in life and the after-school programs that are proven to reduce juvenile crime. This Congress has also neglected the needs of working or would-be mothers and their children by failing to provide safe child care and training for those who provide it.

As we go back to our districts to ask our constituents to give us another 2 years to represent them in Congress, what will we say to those mothers who after we Democrats turned back more of the draconian measures of welfare reform began to look forward with hope for training and jobs so that they can have a better life for themselves and their children. We can only tell them that their hopes are being dashed because this Congress, under Republican leadership, has failed them by not providing the child care they need.

Madam Speaker, the 105th Congress by not passing a real patients bill of rights has also failed to provide mothers with the security of knowing that when our children are sick or injured needed care will be there, that their doctors will be able to refer them to the specialists required or be able to make the necessary decisions to bring them back to good health.

In my own District of the Virgin Islands and the other territories the issue of health care in children care and children comes together at its worst. It would be a travesty, Madam Speaker, if we were to adjourn continuing to shortchange the children who live in the offshore areas of the United States by not giving them equitable funding under the children's health insurance program.

We must not go home at the end of this week leaving American children in the territories without health care coverage, especially when Medicaid in the territory is capped at levels that lock many outside of Medicaid's doors as well. Madam Speaker, it is un-American for any citizen to be treated unfairly or excluded from these basic programs because of where they live.

Dr. Marian Wright Edelman reminds us that service is the rent we pay for being here on earth. Unfortunately my colleagues on the other side have not been serving our children because of their failure to bring these bills to the floor, so they have not been paying their rent for being in this Congress, and the voters of this country will send them an eviction notice on November 3.

I call on all of my colleagues to start paying our rent by insuring that children have adequate child care, Head Start and after school care, that they are protected from those who would neglect and abuse them, that the care is put back into health care and that

their schools return to be the centers of learning and safe haven that they once were and that all America's children are treated fairly.

THE VALUES OF CONGRESS ARE POISON TO THE SENSIBILITIES OF THE NATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Colorado (Mr. BOB SCHAFFER) is recognized for 60 minutes.

Mr. BOB SCHAFFER of Colorado. Madam Speaker, the impasse between the Congress and the President has now held this great body in session 5 days beyond our planned adjournment date. The principle disagreement is a typical one of whether this Nation will redistribute greater portions of the taxpayers' wealth or devote it to debt relief and the people themselves. Our failure to resolve these matters has delayed us from returning to our home States, to our constituents, and most of all to our families.

A few days ago, I came to this floor and addressed the House on my thoughts about the public morals and of the Nation's character. I directed that address at my three daughters, and tonight I intend to express to the House my thoughts about my son, Justin, who is 9 years old and wondering, I am sure, why his dad has been gone so long. He knows, I think, the importance of the Nation's business in Congress, and he knows I would not remain away for trivial reasons.

Madam Speaker, it is significant that a major or portion of today's debate involves the issue of public education. I believe the Republican agenda is the proper one, to send more education authority to the States, to local schools and to every family. Our opponents have the opposite idea. Theirs is to expand the scope of the Federal Government in this important area, to federalize various aspects of a traditionally decentralized system.

Now their plan is to grow the size of the Federal Government at the expense of State and local autonomy and liberty, and I raise this issue, Madam Speaker, because the debate coincides with one of the most historic decisions this Congress must resolve, and that is the matter of impeachment of the same chief executive who would be charged with commanding the education authority in question.

Education is about values. Public education is about public values. And the education of America's children is about the future of human civilization and life on the entire planet.

As a father of four children, three of whom attend public schools, I will tell you this:

The last thing we should do is give the bureaucracy in this city more power to manipulate the Nation's local schools. The values of Washington, D.C., are poison to the sensibilities of the Nation. There is no one, no one at